

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	No. 1:CR-01-361-01
	:	
v.	:	(Judge Kane)
	:	
LEONARD IACONO,	:	
Movant	:	

ORDER TO SHOW CAUSE

Presently before the Court is Movant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. (Doc. No. 43.) On July 21, 2004, the Court issued Movant a notice required under United States v. Miller, 197 F.3d 644 (3d Cir. 1999). Movant was given 45 calendar days to return the notice. Since Movant has failed to return the notice, the Court will rule on the above motion as captioned.

AND NOW this 2nd day of November, 2004, upon consideration of Movant's Motion to Vacate, Set Aside, or Correct Sentence , **IT IS ORDERED THAT:**

1. The Clerk of Court is directed to serve a copy of the above-captioned Motion to Vacate, Set Aside, or Correct Sentence on the United States Attorney.
2. Within twenty (20) days of the date of this order, the United States Attorney shall respond to the motion.
3. Movant shall, if he so desires, file a reply to the response within fifteen (15) days of its filing.
4. A determination of whether Movant shall be produced for a hearing will be held in abeyance pending submission of a response.

S/ Yvette Kane
Yvette Kane
United States District Judge